

In The Court Of Appeal Of The State Of California      30  
Sixth Appellate District  
San Jose, California

MONDAY, FEBRUARY 11, 2002

(no minute approved orders)

WEDNESDAY, FEBRUARY 13, 2002

H021954 CHATMAN v. COUNTY OF SANTA CLARA, et al.

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Premo, Acting P.J., Mihara, J.)  
Filed February 13, 2002

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Elia, J.; Mihara, J.; and S. Nasson, Deputy Clerk.

H022165 PEOPLE v. NORTHCUTT

Cause called and argued by Robert McGhie appearing for Appellant and by Laurence Sullivan, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H022218 PEOPLE v. DEUTSCH

Cause called and argued by Barry Karl appearing for Appellant and by Christina Kuo, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H021303 PEOPLE v. VELA

Cause called and argued by David Martin appearing for Appellant and by Aileen Bunney, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H022718 BERUBE, et al. v. ADA PARK HOMEOWNERS ASSOCIATION, et al.

Cause called and argued by John Garvic appearing for Appellants and by Steven Baird appearing for Respondents. Cause ordered submitted.

H023150 ROBLE VISTA ASSOCIATES v. BACON

Cause called and argued by Douglas Abbott and by Nariel Calonne appearing for Appellant and by Todd Rothbard appearing for Respondent. Cause ordered submitted. Court is in recess until the 1:30 p.m. calendar.

In The Court Of Appeal Of The State Of California 31  
Sixth Appellate District  
San Jose, California

Wednesday, February 13, 2002 (continued)

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Elia, J.; Mihara, J.; and W. Magsaysay, Deputy Clerk.

H020526 PEOPLE v. GARCIA

Cause called and argued by Brian A. Pori appearing for Appellant and by Martin S. Kaye, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H022222 PEOPLE v. ELLISON

Cause called and argued by Stuart I. Blumstein appearing for Appellant and by Dorian Jung, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H021383 PEOPLE v. GLAROS

Cause called and argued by Ruth McVeigh appearing for Appellant and by Moona Nandi, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H021537 CHUNG v. LI, et al.

Cause called and argued by Anthony Boskovich appearing for Appellant and by Francine Tone appearing for Respondents. Cause ordered submitted. Court adjourns.

H022765 PEOPLE v. DAYMON S.

The order is affirmed. (not published)  
(Premo, Acting P.J.; We concur: Elia, J., Mihara, J.)  
Filed February 13, 2002

H022227 PEOPLE v. VALENCIA

H023016 In re VALENCIA on Habeas Corpus

The judgment is modified to reflect that the concurrent sentence imposed for count 2 is stayed pursuant to Penal Code section 654. With respect to defendant's habeas petition, let an order to show cause issue returnable before the Santa Clara County Superior Court. (not published)  
(Mihara, J.; We concur: Premo, Acting P.J., Elia, J.)  
Filed February 13, 2002

In The Court Of Appeal Of The State Of California 32  
Sixth Appellate District  
San Jose, California

Wednesday, February 13, 2002 (continued)

H022578 PEOPLE v. HERNANDEZ

The judgment is affirmed. (not published)  
(Wunderlich, J.; We concur: Bamattre-Manoukian, Acting P.J.,  
O'Farrell, J.\*)

Filed February 13, 2002

\*Judge of the Monterey Superior Court assigned by the Chief  
Justice pursuant to Article VI, Section 6 of the California  
Constitution.

H021997 PEREIRA v. BANK OF AMERICA, N.T. & S.A.

The judgment is affirmed. (not published)  
(Premo, Acting P.J.; We concur: Elia, J., Mihara, J.)  
Filed February 13, 2002

H021658 PEOPLE v. VILLANUEVA

By the Court\*:

Appellant's petition for rehearing is denied.  
Filed: February 13, 2002

\*Before O'Farrell, J.\*, Bamattre-Manoukian, Acting P.J. and  
Wunderlich, J.

\*Judge of the Monterey Superior Court assigned by the Chief  
Justice pursuant to Article VI, Section 6 of the California  
Constitution.

H022224 PEOPLE v. DAILEY

By the Court\*:

Appellant's petition for rehearing is denied.  
Filed: February 13, 2002

\*Before Bamattre-Manoukian, Acting P.J. and Wunderlich, J.

H022204 SCHATZEL v. CITY OF SAN JOSE, et al.

The judgment is affirmed. (not published)  
(Premo, Acting P.J.; We concur: Elia, J., Mihara, J.)  
Filed February 13, 2002

H021877 PEOPLE v. LYON

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Premo, Acting P.J., Mihara, J.)  
Filed February 13, 2002

In The Court Of Appeal Of The State Of California 33  
Sixth Appellate District  
San Jose, California

THURSDAY, FEBRUARY 14, 2002

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Elia, J.; Mihara, J.; and R. W. Norvelle, Deputy Clerk.

H020980 PEOPLE v. ARGUE

Cause called and argued by Solomon R. Wollack appearing for Appellant and by Michael E. Banister, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H021968 SCHNEIDER v. ROBERTS

Cause called and argued by John J. Hartford appearing for Appellant and by David G Baskin appearing for Respondent. Cause ordered submitted.

H020672 TERDIK, et al. v. HOMESIDE LENDING, INC., et al.

Cause called and argued by Daniel G. Herns appearing for Appellants and by Theodore A. Griffinger appearing for Respondent Homeseide Lending and by Fred Winters appearing for Respondent Profession Foreclosure Corporation. Cause ordered submitted. Court adjourns.

H022395 PEOPLE v. ORGEL

H023173 In re ORGEL on Habeas Corpus

The judgment is affirmed. A prima facie case for extraordinary relief having been established by defendant's writ petition, the Santa Clara County Probation Department is ordered to show cause why defendant's petition for writ of habeas corpus should not be granted. The Probation Department is further ordered to submit its return to the trial court, which shall then conduct an evidentiary hearing to determine the truth of the allegations in the writ petition, and which is granted jurisdiction to grant or deny relief. (not published)  
(Elia, J.; We concur: Premo, Acting P.J., Mihara, J.)  
Filed February 14, 2002

In The Court Of Appeal Of The State Of California 34  
Sixth Appellate District  
San Jose, California

Thursday, February 14, 2002 (continued)

H021435 LOPEZ v. CITY OF MILPITAS FIRE DEPARTMENT, et al.

The judgment in favor of defendants City of Milpitas Fire Department and Milpitas Firefighters Association, IAFF Local 1699, is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., O'Farrell, J.\*)

Filed February 14, 2002

\*Judge of the Monterey Superior Court assigned by the Chief Justice pursuant to Article VI, Section 6 of the California Constitution.

FRIDAY, FEBRUARY 15, 2002

H022494 RUBINO v. BARBACCIA, et al.

The action is dismissed. (not published)

(Mihara, J.; We concur: Premo, Acting P.J., Elia, J.)

Filed February 15, 2002

H022105 PEOPLE v. HILL

The judgment is affirmed. (not published)

(O'Farrell, J.\*; We concur: Bamattre-Manoukian, Acting P.J., Wunderlich, J.)

Filed February 15, 2002

\*Judge of the Monterey Superior Court assigned by the Chief Justice pursuant to Article VI, Section 6 of the California Constitution.

H022644 PEOPLE v. GOODSPEED

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Premo, Acting P.J., Elia, J.)

Filed February 15, 2002